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c 211 The Town of Tillsonburg Act, 1973

Ontario

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CHAPTER 211

An Act respecting the Town of Tillsonburg

*Assented to April 27th, 1973
Session Prorogued March 5th, 1974*

WHEREAS The Corporation of the Town of Tillsonburg hereby represents that it is desirous of establishing a Parks, Community Centre and Recreation Commission for the better development and supervision of its public parks, its recreation facilities and its community centre or centres and for such purposes to charge the Commission with the duties and responsibilities and give it the powers and privileges of the Tillsonburg Board of Arena and Parks Management, established under *The Public Parks Act* and *The Community Centres Act*, and of the Tillsonburg Recreation Commission, established under *The Department of Education Act*; and whereas the applicant hereby applies for special legislation in respect of such matters; and whereas it is expedient to grant the application;

Preamble

R.S.O. 1970,
cc. 384, 73,
111

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "Commission" means The Tillsonburg Parks, Community Centre and Recreation Commission;
- (b) "council" means the council of the Town;
- (c) "Town" means The Corporation of the Town of Tillsonburg.

2.—(1) Notwithstanding *The Ministry of Community and Social Services Act*, *The Public Parks Act* and *The Community Centres Act*, there shall be a commission which shall be known as The Tillsonburg Parks, Community Centre and Recreation Commission, and shall be composed of,

Parks,
Community
Centre and
Recreation
Commission
established

- (a) the head of the council;

(b) two members of council to be appointed by the council; and

(c) six other persons appointed by the council who shall be qualified electors of the Town but not members of council.

Substitute
for head of
council

(2) The head of the council, with the approval of council, may annually appoint a substitute, who is a member of the council, to act for him.

Term of
office

(3) The members of the Commission who are not members of the council shall hold office for three years, provided that, on the first appointment, the council shall designate which member shall hold office,

(a) until the 1st day of January of the year next following the date of his appointment;

(b) until the 1st day of January of the second year next following the date of his appointment; and

(c) until the 1st day of January of the third year next following the date of his appointment,

respectively, so that one-third of such members shall retire each year.

Appointment
of council
members

(4) The members of the Commission who are members of council shall be appointed biennially to correspond with their term of office.

Reappoint-
ment

(5) The members of the Commission shall hold office until their successors are appointed, and are eligible for reappointment.

Vacancy

(6) Where a member ceases to be a member of the Commission before the expiration of his term of office, the council shall appoint another eligible person for the unexpired portion of that term.

When
appointments
to be made

(7) The first appointments of members of the Commission shall be made by the council immediately upon the coming into force of this Act, and thereafter the appointments shall be made annually at the first meeting of the council in any year, and any vacancy arising from any cause other than the expiration of the term for which the member was appointed shall be filled at the first meeting of the council held after the vacancy occurs.

(8) A majority of the members of the Commission constitutes a quorum.

(9) At its first meeting in every year, the Commission shall elect a chairman and a vice-chairman from among the members of the Commission, and in the absence of the chairman, the vice-chairman shall preside and the Commission shall appoint a secretary, who may, but need not, be a member of the Commission.

(10) The chairman, vice-chairman and secretary shall hold office at the pleasure of the Commission or for such a period as the Commission may prescribe.

(11) When the chairman, vice-chairman or secretary is absent or unable to act, the Commission may appoint a chairman or secretary *pro tempore*.

(12) The Commission may engage such employees and consultants as it deems expedient.

(13) The Treasurer of the Town shall be the treasurer of the Commission.

3. Except as otherwise provided in this Act, *The Ministry of Community and Social Services Act* and the regulations made thereunder, *The Community Centres Act* and the regulations made thereunder and *The Public Parks Act*, except the provisions constituting a Board of Park Management as a corporation and authorizing such a Board to acquire and hold land, apply to the Commission as if it had been established in accordance with such Acts and regulations.

4.—(1) When the first members of the Commission have been appointed, The Tillsonburg Board of Arena and Parks Management and the Tillsonburg Recreation Commission are dissolved, and the assets and liabilities thereof become the assets and liabilities of the Town.

(2) All by-laws hereinbefore passed in so far as they are inconsistent with the provisions of this Act are hereby repealed or amended so as to give full force and effect to this Act.

5. The Commission may contract and may sue and be sued in its own name, and the members thereof are not personally liable for torts committed by other members of the Commission or its servants or agents or on any contract made by the Commission.

6.—(1) The Commission shall, on or before the 15th day of February in each year, submit to the council an itemized

R.S.O. 1970,
c. 384

estimate of its financial requirements for the year, and, subject to the provisions of *The Public Parks Act*, the council may amend such estimate and shall pay out of the moneys appropriated for the Commission such amounts as may be requisitioned from time to time by the Commission.

Application
of moneys
for design-
ated purpose

(2) Where any moneys have been included in the estimates of the Commission for a designated purpose, they shall be used by the Commission only for such designated purpose and not otherwise.

Powers and
duties of
Commission

7. The Commission shall operate, maintain, manage and develop on behalf of the Town all recreational centres, parks, playgrounds and other real property of a like nature vested in or leased by the Town and used or designed for recreational purposes and shall be in charge of, manage and make available for recreational purposes all recreational equipment, recreational facilities and other personal property belonging to the Town and used or designed for recreational purposes.

Idem

8. The Commission shall operate, maintain and manage on behalf of the Town all properties which are now or which may hereafter be established as community centres pursuant to *The Community Centres Act*, or the regulations made thereunder.

R.S.O. 1970,
c. 73

Commence-
ment

9. This Act comes into force on the day it receives Royal Assent.

Short title

10. This Act may be cited as *The Town of Tillsonburg Act, 1973*.